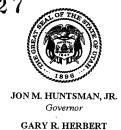
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Lieutenant Governor

## State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA

Division Director

April 13, 2009

Erwin Sass, General Manager Canyon Fuel Company, LLC P.O. Box 1029 Wellington, UT 84542

Subject: Final Approval, Dugout Canyon Mine, C/007/0039, Archeological/Cultural Resource

Surveys, Task ID #3252

Dear Mr. Sass:

The above-referenced amendment is approved effective April 13, 2009. The Division received concurrence from SHPO on April 6, 2009. Enclosed is a stamped incorporated copy for insertion into your copy of the Mining and Reclamation Plan.

Thank you for your help during this process. If you have any questions, please feel free to call me at (801) 538-5262.

Sincerely,

James D. Smith Permit Supervisor

sqs Enclosure

Price Field Office

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Canyon Fuel Company, LLC **Dugout Canyon Mine** P.O. Box 1029 Wellington, Utah 84542

COPY & =

March 10, 2009

Coal Regulatory Program Utah Division of Oil, Gas and Mining 1594 West North Temple, Suite 1210 Salt Lake City, UT 84114-5801

RE:

Archeological/Cultural Resource Surveys - SPUT-579, SPUT-577 and SPUT-573 for SHPO Clearance, Dugout Canyon Mine, Canyon Fuel Company, LLC, C/007/039, Carbon County, Utah

## Dear Sirs:

Attached please find two copies of the following Archeological/Cultural Resource Surveys - SPUT-579, SPUT-577 and SPUT-573. Due to a change in staff at SHPO the time frame for the determination of impact/no impact to cultural resources has increased. Per a conversation with Joe Helfrich in November 2008, it was suggested that Archeological/Cultural Resource Surveys be submitted separately ahead of the amendments for their associated degas or exploration well pads. Please process these reports as soon as possible to allow sufficient time for approval/concurrence by SHPO.

One of the two copies is for incorporation into the "confidential folder" in Chapter 4, behind the Appendix 4-1 tab. The second copy is for SHPO's review, this copy has a "Utah SHPO" cover sheet attached to the front of the report.

If you have any questions please call me at (435) 636-2869.

Sincerely yours,

Vicky S. Miller

CC:

Dave Spillman

07039 2009. Incoming Confidential Shelf

□ Expandable 3/00 For additional information RECEIVED MAR 1 1 2009

DIV. OF OIL, GAS & MINING

**SUFCO Mine Skyline Mines** 

**Dugout / Soldier Canyon Mines** 

## APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer						
Permittee: Canyon Fuel Company, LLC						
Mine: Dugout Canyon Mine Permit Number: C/007/039						
Title: Archeological and Cultural Resource Surveys for SHPO Clearance						
Description, Include reason for application and timing required to implement:						
SPUT-577, SPUT-579, SPUT-573						
Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.						
Yes No  1. Change in the size of the Permit Area? Acres: Disturbed Area: increase decrease.  Yes No  2. Is the application submitted as a result of a Division Order? DO#						
Yes No 11. Does the application affect the surface landowner or change the post mining land use?  Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)  Yes No 13. Does the application require or include collection and reporting of any baseline information?  Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?  Yes No 15. Does the application require or include soil removal, storage or placement?  Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?  Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?  Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?  Yes No 19. Does the application require or include certified designs, maps or calculation?  Yes No 20. Does the application require or include subsidence control or monitoring?  Yes No 21. Have reclamation costs for bonding been provided?  Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?  Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?						
Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)						
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations percin.  Print Name  Subscribed and sworn to before me this 10 day of MARCH , 2009  VICKY SUE MILLER MODERN PUBLIC STATE OF UTAH						
My commission Expires:  Attest: State of County of CARSON    County of CARSON   CARS		1776 KENILWORTH RD. HELPER, UTAH 84526 COMM. EXP. 81-63-3012				
For Office Use Only:	Assigned Tracking	Received by Oil, Gas & Mining				
	Number:					
		RECEIVED				
		MAR 1 1 2009				
		DIV. OF OIL, GAS & MINING				
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Form DOGM- C1 (Revised March 12, 2002)

## APPLICATION FOR COAL PERMIT PROCESSING Detailed Schedule Of Changes to the Mining And Reclamation ar OPY



Permittee: Canyon Fuel Company, LLC						
-	Dugout Canyo			Number: <u>C/007/039</u>		
Title: Archeological and Cultural Resource Surveys for SHPO Clearance - CONFIDENTIAL						
Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.						
DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED						
⊠ Add	Replace	Remove	Confidential Folder - Chapter 4, Appendix 4-1			
☐ Add	Replace		Reports SPUT-579, SPUT-577 and SPUT 573			
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Any oth Mining	er specific or sp and Reclamatio	ecial instructi on Plan.	on required for insertion of this proposal into the	Received by Oil, Gas & Mining		
3/09 - Two copies of the listed reports have been provided, one copy should be placed in the confidential folders under the Appendix 4-1 tab, the other copy has a "Utah SHPO" cover sheet		RECEIVED				
attached to the report, this copy is for SHPO files.			MAR 1 1 2009			
		OH CAG & MINING				
				DIV. OF OIL, GAS & MINING		
F DO	GM - C2 (Pavised	N 110 0000				